

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE COMPLAINT FILED)		ORDER DISMISSING
BY ALAN SARVER, RAPID CITY, SOUTH)		COMPLAINT AND CLOSING
DAKOTA, AGAINST QWEST CORPORATION)		DOCKET
REGARDING DELAYED SERVICE)		CT01-054

On November 26, 2001, the Public Utilities Commission (Commission) received a complaint filed by Alan Sarver, Rapid City, South Dakota (Complainant), against Qwest Corporation (Qwest) regarding delayed service.

On November 27, 2001, the complaint was faxed to Qwest. Pursuant to ARSD 20:10:01:09, Qwest was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 17, 2001. On December 17, 2001, the Commission received an answer from Qwest. A hearing in this matter was scheduled for January 31, 2002. By order dated January 18, 2002, the hearing was cancelled as Commission Staff received a release of the complaint from Qwest.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-13, including 49-13-1 through 49-13-14, inclusive, and SDCL Chapter 49-31, including 49-31-3, 49-31-7, 49-31-7.1, 49-31-7.2, 49-31-7.3, 49-31-7.4, 49-31-10, 49-31-11, 49-31-38, 49-31-38.1, 49-31-38.2, 49-31-38.3, 49-31-85 and ARSD Chapters 20:10:01 and 20:10:33.

On February 5, 2002, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 8th day of February, 2002.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

ROBERT K. SAHR, Commissioner